

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY WILLINGHAM

CIVIL ACTION

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security  
Administration

FEB 17 2010  
MICHAEL E. KONZ, Clerk  
By:                      Dep. Clerk

NO. 09-2368

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~~MICHAEL E. KONZ, Clerk~~  
~~By:                      Dep. Clerk~~

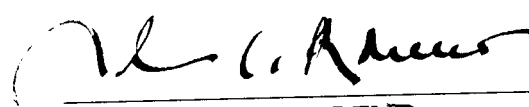
**ORDER**

AND NOW, this 15 day of February, 2010, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review, defendant's Response to Request for Review of Plaintiff, plaintiff's reply thereto, and after review of the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter, it is hereby

**ORDERED**

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Plaintiff's Request for Review is GRANTED, and the decision of the Commissioner of the Social Security Administration is REVERSED to the extent that the matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with Chief United States Magistrate Judge Thomas J. Rueter's Report and Recommendation.
3. Judgment is entered in favor of plaintiff, reversing the decision of the Commissioner for the purpose of this remand only.

BY THE COURT:

  
EDUARDO C. ROBRENO,

J.